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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

JERMAINE MONTIEL,

Plaintiff,

vs.

OFFICER M. WILLIAMS, Badge No.  
 3751; SERGEANT C. SHEPPARD,  
 Badge No.. 3125; OFFICER  
 HERNANDEZ, Badge No.. 3898;  
 OFFICER RODRIGUEZ, Badge No..  
 3087; JOHN DOE and RICHARD ROE;  
 ROBERT DAVIS; CITY OF SAN JOSE,

Defendants.

CASE NO.: C07-05490 JF

**STIPULATION AND [PROPOSED]-  
 ORDER VACATING TRIAL AND  
 RELATED DATES**

Trial Date: October 17, 2011  
 Judge: Hon. Jeremy Fogel  
 Courtroom: 3

The parties to this action, by and through their attorneys of record, Steven B. Dippell  
 for Defendants and Anthony Boskovich for Plaintiff, hereby stipulate as follows:



1 ATTESTMENT OF CONCURRENCE PER GENERAL ORDER 45 FOR FILING:

2 I attest that concurrence in the filing of this document by the signatories, Steven B.  
3 Dippell and Anthony Boskovich, has been obtained, and that a record of the concurrence  
4 shall be maintained at the Office of the City Attorney.

5  
6 Dated: July 29, 2011

By: /s/ Steven B. Dippell  
STEVEN B. DIPPELL

7  
8  
9 **ORDER**

10 Having read and considered the stipulation above, and finding good cause for the  
11 relief requested, it is ordered that the trial date and all the related deadlines described  
12 below be, and hereby are, vacated:

13	Expert Disclosures due:	August 5, 2011
14	Close of Fact Discovery:	September 2, 2011
15	Close of Expert Discovery:	September 16, 2011
16	Pre-Trial Conference:	October 7, 2011 at 11:00 am
17	Jury Selection:	October 14, 2011
18	Jury Trial	October 17, 2011

19 A further case management conference in this matter is scheduled for  
20 August 26, 2011, pending reassignment of the case to a different judge.

21  
22 Dated: July 29, 2011

  
HON. JEREMY FOGEL  
United States District Court Judge